
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

JULIAN GALVAN SILVAS, JR., §
§
Plaintiff, §
§
versus § CIVIL ACTION NO. 9:22-CV-198
§
MAJOR TOLLY, *et al.*, §
§
Defendants. §

**ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Julian Galvan Silvas, Jr., a prisoner confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Major Tolly, Warden Dickerson, the Ombudsman's Office, and Warden Enrriques.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration pursuant to the applicable laws and orders of this court. On February 16, 2023, the magistrate judge entered a Report and Recommendation in which she recommended granting Plaintiff's Motion to Dismiss. To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge (#12) is **ADOPTED**. Plaintiff's Motion to Dismiss (#10) is **GRANTED**. A final judgment will be entered in accordance with this Order.

SIGNED at Beaumont, Texas, this 22nd day of March, 2023.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE